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Convention on the Elimination of All Forms of Discrimination against Women

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Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

List of issues and questions in relation to the combined seventh and eighth periodic reports of Japan

Addendum

Replies of Japan*

[Date received: 29 January 2016]

Note: The present document is being circulated in English, French and Spanish only.
* The present document is being issued without formal editing.

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Please recycle

Question 1

Please indicate the measures taken by the State party to further strengthen the national machinery for the advancement of women, including by clearly defining the mandate and responsibilities of its various components, in particular between the Minister of State for Gender Equality and Social Affairs and the Gender Equality Bureau, and enhancing coordination among them, as well as through the provision of adequate financial and human resources. Please also indicate the measures taken to establish an independent national human rights institution in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles), whose competencies include issues relating to the equality of women and men. Please further indicate whether the Convention and the Committee's general recommendations are being integrated into capacity-building programmes for lawmakers, judges, prosecutors and lawyers, as well as the police and other law enforcement officials.

(Answer)

(The first question of Q1)

1. The Act for Establishment of the Cabinet Office clarifies the mandate among the Minister of State for Gender Equality, the Gender Equality Bureau, and relevant organizations. The Minister oversees the work of the Gender Equality Bureau and has the authority to request relevant ministers to make recommendations etc. in order to coordinate the efforts of each organization.

2. The Government of Japan (GOJ) has taken the following measures to strengthen the national machinery and collaboration among various departments.

(1) In October 2014, "the Headquarters for Creating a Society in which All Women Shine" was established, headed by the Prime Minister and including the entire Cabinet as its members. The Headquarters aims at maximizing women's capabilities by having them bring about the realization of their own aspirations and thus vitalizing Japanese society. The Headquarters serves as the control tower for overall coordination with the relevant ministries.

(2) In June 2015, to enrich the financial and human resources of the relevant ministries, the Headquarters decided on the Intensive Policy to Accelerate the Empowerment of Women 2015 (hereinafter "the Intensive Policy 2015"), to be reflected in budgetary requests every year.

(3) The GOJ is increasing collaboration with the business community through requests from the Prime Minister to top business leaders to promote women's active participation.

(4) The GOJ has established a grant for local governments to encourage promotion of women's empowerment by local economic organizations, etc.

(The second question of Q1)

3. See para. 34 of the seventh and eighth periodic reports of the GOJ to the United Nations (hereinafter "the Reports").

(The third question of Q1)

4. The GOJ widely disseminated the Reports and relevant information to the Diet members. Furthermore, in the Fourth Basic Plan for Gender Equality (hereinafter "the Fourth Basic Plan"), currently being formulated, the GOJ is considering to include the provision of information on international norms including the Convention and international discussions.

5. Regarding prosecutors, various training programmes are provided on human rights treaties, including the Convention and the general recommendations. Also, such training programmes by experts are provided for judges to raise awareness of these instruments (see para. 36 of the Reports).

6. The GOJ is aware that the Federation of Bar Associations has organized lectures by a member of CEDAW as well as symposiums on international human rights law and Japan's family law, and has also produced training videos on the application of international human rights law.

7. The police provide education at police schools on respecting women's human rights, including the Convention.

Question 2

Please provide information on the mechanisms and measures adopted to ensure the equal participation of women in the entire drafting and adoption process for the post-2015 development agenda.

(Answer)

8. Under the principle of human security, Japan places particular emphasis on gender equality and women's empowerment and strongly supports Goal 5 of the Sustainable Development Goals (achieve gender equality and empower all women and girls). The Government of Japan actively contributed to intergovernmental negotiations on the 2030 Agenda for Sustainable Development by engaging in regular exchanges of opinions with civil society including NGOs in relevant fields, and by placing an emphasis on the perspective of gender equality.

Question 3

Please indicate the results achieved by temporary special measures that have been implemented to date and indicate whether the State party envisages adopting additional such measures to accelerate the realization of women's substantive equality with men.

(Answer)

9. The Third Basic Plan for Gender Equality (hereinafter "the Third Basic Plan"), approved by the Cabinet in December 2010, lays out provisions for the promotion of effective positive action. It also sets out the performance objectives to be achieved by the Government of Japan (GOJ) for expanding women's participation in all areas, including politics, government administration, employment, and academics, and the GOJ has been conducting measures based on this plan (see article 4 of the Reports).

10. Regarding achievement for the performance objectives under this Plan, the proportion of women in national and local governments has improved and is still growing (see the appendix).

11. Furthermore, in the economic sector in the past two years since the end of 2012, for example the proportion of female executive officers in companies has increased by about 30 per cent. In the area of national government employees, in April 2015 the GOJ achieved its recruitment target which has been set since FY2015 to have a ratio of over 30 per cent female national government employees employed through the recruitment examination. These achievements show the growth of the women's empowerment movement across the whole society (see the appendix for the current status of the main performance objectives in the Third Basic Plan).

12. In order to further accelerate the women's active participation movement across society as a whole, the Intensive Policy 2015 has set forth measures for strengthening positive action to expand women's participation in areas with significant social impact as well as areas that are closely related to the development of human resources for the future.

13. In the area of government administration, regarding national government employees, the Guidelines for Initiatives to Promote Work-Life Balance and the Empowerment of Female National Government Employees were formulated in October 2014. These Guidelines set forth three pillars for reform — working styles, balance between an active career and childcare/nursing care, and women's active participation in the workplace. Based on these Guidelines, the relevant ministries formulated action plans that include new numerical targets for the recruitment and promotion of female national government employees and are advancing these measures in a comprehensive and planned manner. Regarding local government employees, from the perspective of providing support for voluntary measures based on the actual circumstances of each local governments, the GOJ will promote the human resource development of female local government employees in collaboration with relevant organizations, find out the issues concerning the appointment of female local government employees, and provide information and advice aimed at improving the situation, such as introducing examples of measures taken by the national government and innovative measures undertaken by local governments.

14. In the economic sector, the GOJ will compile databases on the status of women's active participation to promote increased awareness of the activities being undertaken by companies as well as the challenges they face.

15. In the agricultural sector, to increase the proportion of female agricultural committee members and executive officers of agricultural cooperatives under the agricultural cooperative reform law enacted in August 2015, the GOJ will take measures to expand women's participation through the establishment of provisions for giving consideration to gender balance. Furthermore, the GOJ also promotes women's empowerment in rural communities by enhancing training to develop female leaders.

16. In the field of education, a set of number of places will be allocated for women in various training programmes for teachers who wish to gain promotion to vice principal or principal positions in order to encourage female teachers to aspire towards promotion to managerial positions and to bring about the realization of such

promotions. Through such measures, the movement of expanding women's participation in various areas will be accelerated.

17. Furthermore, in August 2015, the Act of the Promotion of Women's Participation and Advancement in the Workplace (hereinafter "the Women's Participation Promotion Act") was established. Targeted at national and local governments, and private employees with more than 301 employees, this Act mandates the formulation of action plans that incorporate numerical targets and measures based on the results of analysing issues of gender and employment. Going forward, the GOJ will further promote the expansion of women's participation across the whole society through the steady implementation of this Act.

Q3. Appendix

Proportion of women in national and local government
(Percentage)

Item	*Figures during formulation of the plan*	*Latest figures*	*Target (deadline)*
Proportion of women in government positions equivalent to or higher than director of regional organizations of central government or assistant director of central government ministries and agencies	5.1 (Jan 2009)	5.6 (Jan 2014)	About 10 (end of FY 2015)
Proportion of women in government positions equivalent to or higher than director of the central government ministries and agencies	2.2 (Jan 2009)	3.3 (Sep 2014)	About 5 (end of FY 2015)
Proportion of women in designated positions of central governments	1.7 (Jan 2009)	2.8 (Sep 2014)	About 3 (end of FY 2015)
Proportion of women in positions equivalent to or higher than prefectural director	5.7 (2009)	7.2 (2014)	About 10 (End of FY 2015)
Positions equivalent to or higher than section manager level in private companies	6.5 (2009)	8.3 (2014)	About 10 (2015)

* "Targets" refers to non-binding targets that the GOJ aims to achieve when it works on the political parties. These targets do not place any constraints on the autonomous actions taken by political parties; neither are they goals that the respective political parties themselves aim to achieve.

Main performance objectives in the Third Basic Plan
Area 1: Expanding women's participation in policy and decision-making processes
(Targets*)

(Percentage)

Item	*Figures during formulation of the plan*	*Latest figures*	*Target (deadline)*
Proportion of female candidates for the election of the House of Representatives	16.7 (2009)	16.6 (2014)	30 (2020)
Proportion of female candidates for the election of the House of Councillors	22.9 (2010)	24.2 (2013)	30 (2020)

(Performance objectives)

Item	*Figures during formulation of the plan*	*Latest figures*	*Target (deadline)*
Proportion of female public prosecutors	18.2 (2009)	21.4 (2014)	23 (end of FY2015)
Proportion of female national government employees employed through the recruitment examination	26.1 (FY2010)	31.5 (FY2015)	About 30 (end of FY2015)
Proportion of female national government employees employed through the Level I recruitment examination for national civil service	25.7 (FY2010)	36.6 (Reference) Administrative category of the class general career track examination (FY 2015)	About 30
Proportion of women in government positions equivalent to or higher than director of regional organizations of central government or assistant director of central government ministries and agencies	5.1 (Jan 2009)	5.6 (Jan 2014)	About 10 (end of FY2015)
Proportion of women in government positions equivalent to or higher than director of the central government ministries and agencies	2.2 (Jan 2009)	3.3 (Sep 2014)	About 5 (end of FY2015)
Proportion of women in positions equivalent to designated positions of central governments	1.7 (Jan 2009)	2.8 (Sep 2014)	About 3 (end of FY2015)

Item	*Figures during formulation of the plan*	*Latest figures*	*Target (deadline)*
Proportion of female members in national advisory councils and committees	33.2 (2009)	35.4 (2014)	Between 40 and 60 (2020)
Proportion of female expert members in national advisory councils and committees	16.5 (2009)	22.4 (2014)	30 (2020)
Proportion of female local government employees employed through the recruitment examination	21.3 (2008)	26.1 (2014)	About 30 (End of FY2015)
Proportion of women in positions equivalent to or higher than prefectural director	5.7 (2009)	7.2 (2014)	About 10 (End of FY2015)
Proportion of female members on prefectural advisory councils and committees	28.4 (2009)	30.3 (2014)	30 (2020)
Proportion of female members on advisory councils and committees in municipalities	23.3 (2009)	25.2 (2014)	30 (2015)

Area 4: Ensuring equal opportunities and benefits for men and women in employment (Performance objectives)

Item	*Figures during formulation of the plan*	*Latest figures*	*Target (deadline)*
Positions equivalent to or higher than section manager level in private companies	6.5 (2009)	8.3 (2014)	About 10 (2015)

* Also published in Area 1: Expanding women's participation in policy and decision-making processes

Area 6: Promoting gender equality towards the realization of vibrant rural areas (Performance objectives)

Item	*Figures during formulation of the plan*	*Latest figures*	*Target (deadline)*
Number of agricultural committees and agricultural cooperatives that do not employ women	Agricultural committees: 890 (FYI 2008) Agricultural cooperatives: 535 (FYI 2007)	Agricultural committees: 529 (preliminary figures for FY2014) Agricultural cooperatives: 159 (preliminary figures for FY2014)	Both agricultural committees and agricultural cooperatives: 0 (FY2013)

Area 11: Enhancing education and learning to enable diverse choices and promote gender equality
(Performance objectives)

Item	*Figures during formulation of the plan*	*Latest figures*	*Target (deadline)*
The proportion of boards of education in prefectures and municipalities that contain one or more female board members	93.2 (2009)	93.5 (2013)	100 (2015)
Vice-principal or above in elementary or junior high school level educational institution	14.7 (2010)	15.2 (2013)	30 (2020)
Proportion of female university professors	16.7 (2009)	19.5 (2014)	30 (2020)

Area 12: Gender equality in science and technology and academic fields
(Performance objectives)

Item	*Figures during formulation of the plan*	*Latest figures*	*Target (deadline)*
Target employment numbers for female researchers (natural science)	Natural sciences 23.1 (2008)	Natural sciences 25.4 (2012)	Goals are based on the 4th Phase of the Science and Technology Basic Plan (FY2011 through FY2015), which has the following objectives: "25 per cent for natural sciences (in the short term), and then aim for 30 per cent. In particular, early achievement of 20 per cent for science, 15 per cent for engineering, and 30 per cent for agriculture, and aiming to achieve 30 per cent for medicine, dentistry, and pharmacology combined." (Council for

Item	*Figures during formulation of the plan*	*Latest figures*	*Target (deadline)*
			Science and Technology Policy Report)
Proportion of female council members on the Science Council of Japan	20.5 (2008)	23.3 (1st October 2014)	22 (2015)
Proportion of female associate members on the Science Council of Japan	12.5 (2008)	22.3 (1st October 2014)	14 (2015)

Area 14: Promoting gender equality in the areas of regional development, disaster prevention, and the environment
(Performance objectives)

Item	*Figures during formulation of the plan*	*Latest figures*	*Target (deadline)*
Proportion of female heads of community associations	4.1 per cent (2010)	4.7 per cent (2014)	10 per cent (2015)
Number of prefectural disaster management councils that do not have any female members	13 (2009)	0 (2014)	0 (2015)

Question 4

Please indicate whether the State party envisages adopting a comprehensive strategy to combat stereotyping in order to promote a non-patriarchal image of women, including that of disadvantaged groups of women, such as older women, women with disabilities, migrant women and women belonging to ethnic and religious minorities. Please indicate the measures taken to combat stereotypical attitudes about the roles and responsibilities of women and men in the media and to eliminate the sexualized depiction of women in advertising. Please also provide information on the incidence of gender discriminatory statements and sexist remarks made by public officers since the issuance of the previous concluding observations (CEDAW/C/JPN/CO/6) and on the measures taken to address that situation. Please also indicate the measures taken to prevent and punish verbal violence against women. Please further indicate the measures envisaged to criminalize hate speech targeting minority groups, including speeches that incite sexual assault against them.

(Answer)

(The first question of Q4)

18. Eliminating stereotyped perceptions of gender roles is a major theme in the Third Basic Plan, and the Government of Japan (GOJ) implements measures, including those for women in disadvantaged positions.

19. In the Fourth Basic Plan, the GOJ is going to put together measures to dispel stereotyped perceptions in all areas. Also, a chapter titled "Developing an environment where women and others facing poverty, aging, disabilities, and other difficulties are able to lead secure lives" will be included in that Plan.

(The second question of Q4)

20. The Liaison Conference for the Promotion of Gender Equality facilitates cooperation between the GOJ and various stakeholders including the media and co-hosted a symposium on the relationship between the media and gender equality with the Cabinet Office. Also the Cabinet Office has interviews with the presidents of media organizations in PR magazines (see article 5.1 of the Reports).

21. In the Fourth Basic Plan as well, measures for gender equality in the media will be promoted.

(The third question of Q4)

22. The Cabinet Office conducts public relations and awareness-raising activities for the general public and government employees, in cooperation with the relevant ministries, local governments, and private sector organizations at every opportunity, such as during Gender Equality Weeks and as part of its Campaign for the Elimination of Violence against Women. In addition, training programmes, manuals and other materials are also provided.

23. Concerning the jeering directed towards a female member at a local assembly during a question-and-answer session, which was the subject of public criticism for featuring sexist and offensive remarks, the GOJ acknowledged that appropriate measures were taken, including the identification of the speaker by his political party, his expression of apology to the relevant persons, and his withdrawal from his parliamentary group.

(The fourth question of Q4)

24. Spousal violence includes behaviour that causes both physical and psychological damage, and as described above, the Cabinet Office is conducting awareness-raising activities in regard to this issue. Measures addressing sexually offensive remarks in the workplace are described in paras. 68 and 69 of the Reports.

25. Verbal violence directed towards women including threats against individuals is punishable as intimidation under the Panel Code or as gang intimidation or habitual intimidation under the Law Concerning Punishment of Physical Violence and Others. Verbal violence involving defamation by alleging facts in public and damaging the reputation of individuals may be punishable as defamation under the Penal Code. Verbal violence involving an insult directed towards an individual in public may be punishable as defamation under the Penal Code.

(The fifth question of Q4)

26. Hate speech against minority groups, depending on the case, is punishable as defamation or insults.

Question 5

Please indicate whether the State party intends to amend the Criminal Code to integrate a broader definition of sexual crimes, increase the penalty for rape and explicitly criminalize incest and marital rape. Please provide updated information on the steps taken to repeal the specific requirement that the victim file a complaint in order to prosecute crimes of sexual violence.

(Answer)

27. Based on the request of the Third Basic Plan to consider review of penalties for sex crimes, the Ministry of Justice (MOJ) organized a review committee on penalties for sex crimes from October 2014 to August 2015, comprising criminal law researchers and the three elements of the judicial community, namely lawyers, prosecutors, and judges. This committee conducted reviews on the following topics: (a) Whether acts similar to sexual intercourse, including anal intercourse, should be made punishable at the same level as rape; (b) Raising the statutory penalty for sex crimes; and (c) Whether explicit provisions should be set forth on the existence and recognition of spousal rape as a crime. At this committee, there were many calls for revisions of laws associated with (a) and (b). However, with regard to (c), under existing laws, cases of spousal rape are not denied, and there are court cases that have recognized it as a crime. Hence, it was the opinion of many of the committee members that revisions to the law were not necessary for (c). The committee also reviewed the issue of making sex crimes prosecutable offenses without requiring a complaint from the victim, and the majority was of the opinion that sex crimes should be made prosecutable offenses without a complaint from the victim. Based on the results of this review, the MOJ is examining the Penal Code to include the necessity of amending it.

Question 6

Please provide data on the number of protection orders delivered in the past five years and the measures taken to speed up their issuance. Please indicate whether the State party considers issuing emergency protection orders on the basis of a complaint from one party only under its Spousal Violence Prevention Act. Please also indicate the measures taken to ensure that women who are victims of domestic violence can stay in their home. Please indicate the measures taken to facilitate the reporting of domestic and sexual violence, in particular whether the State party intends to open a 24-hour free hotline dedicated specifically to counselling women who are victims of violence, including minority women and women with disabilities.

(Answer)

(The first question of Q6)

28. According to article 13 of the Act on the Prevention of Spousal Violence and the Protection of Victims, the court shall render a judicial decision promptly with regard to cases pertaining to a petition for a protection order, and the Government of Japan acknowledges that protection orders are promptly issued at the court corresponding to individual cases. Furthermore, under the proviso in para. 1 of article 14 of the same Act, in "cases where there are circumstances where waiting for the [fixed] date [for a hearing] will interfere with the fulfilment of the intent of the petition for a protection order," depending on the case, the protection orders can

be issued without waiting for the fixed date for the hearing of the other party. Appendix 1 shows the number of cases where protection orders were issued in the past five years and Appendix 2 shows those under the proviso of para. 1 of article 14 of the same Act.

(The second question of Q6)

29. Cases with increasing risks of violence are handled through the utilization of temporary protection facilities such as Women's Consulting Offices. In cases that fulfil the aforementioned criteria, it is possible to issue a protection order without waiting for the fixed date for the hearing of the other party.

(The third question of Q6)

30. In cases pertaining to the issuance of protection orders, the court can issue a restraining order, which prohibits the perpetrator from coming close to the victim's residence (except residences that are used as a base for living together with the spouse), as well as an expulsion order, which orders the perpetrator to leave the residence that is used as a base for living together with the victim (items 1 and 2 of para. 1, article 10 of the same Act). Hereby, the victim can carry out preparatory work such as organizing personal affairs or finding a new place of residence.

31. Measures for cases where female victims are unable to remain in their own residences include provision of various support services through Women's Consulting Offices, (paras. 42 and 195 of the Reports), and giving priority for entering public housing facilities.

(The fourth question of Q6)

32. In addition to measures described in paras. 45 and 47 through 49 of the Reports, the police have established a guidance officer system for investigations related to sex crimes, and are making efforts to improve the practical skills of employees through assigning female police officers to take charge of sex crime investigations, and implementing specialized courses. The police have also set up telephone consultation lines as well as consulting rooms in police boxes as a way to ensure privacy and provide a more comfortable environment for women to take part in consultations.

33. The Cabinet Office publishes information about its consultation offices on its website and in leaflets.

34. To improve the accessibility of victims, including those with disabilities, the automated voice service that provides the telephone numbers for consultation offices has been improved to automatically connect callers to their nearest consultation office, based on the location data of the phone call.

Q6: Appendix 1

Number of protection orders issued in the past five years

	Number of protection orders issued
2010	2,434
2011	2,137
2012	2,482
2013	2,312
2014	2,528

Appendix 2

Number of protection orders issued in the past five years under the proviso of para. 1 of article 14

2010	18
2011	10
2012	23
2013	16
2014	21

Question 7

Please indicate the measures taken to ban the sale of video games or cartoons involving rape and sexual violence against girls and women and to raise awareness among the producers of such materials, in line with the Committee's general recommendation No. 19 on violence against women. Please also indicate the measures taken to address the mass production, distribution and use of pornographic videos in which women are targets of sexual violence, as well as the portrayal of sexualized commercial images of women.

(Answer)

35. Concerning video games and films, self-imposed regulation by the industry and its independent rating organizations have been carried out through ratings and reviews of such media containing sexually explicit and violent scenes or scenes including anti-social behaviour, to ensure that ethically inappropriate games and films are not distributed.

36. In 46 prefectures, ordinances have been enacted, and a list of books designated as detrimental has been created to regulate the reading/browsing of such material by youths and the sale of such material to youths.

37. The Government of Japan (GOJ) clarifies the requirements for exemption from liability for Internet Service Providers (ISPs) through the Act on the Limitation of Liability for Damages of Specified Telecommunications Service Providers and the Right to Demand Disclosure of Identification Information of the Senders and the Act on the Prevention of Revenge Pornography. A list of the

Internet addresses of websites that contain child pornography has been provided to ISPs and other relevant companies, and support is provided for voluntary measures to prevent the distribution of such material.

38. The police strengthened investigations on crimes by groups of child pornography consumer and crimes carried out with file-sharing software. In 2014, the police cleared 1,828 cases of child pornography (746 children were victimized). These numbers represent a record high.

39. In 2014, 850 arrests for obscenity offences committed using computer networks, and 185 arrests for crimes related to the sale of obscene DVDs, were made. Press releases regarding those arrests have been held accordingly.

40. Distribution, public display of, and possession for distribution purposes of obscene drawings are punishable under article 175 of the Penal Code. The possession, production, provision, and public display of child pornography is also punishable under the Act on Regulation and Punishment of Acts Relating to Child Prostitution and Child Pornography, and the Protection of Children (para. 189 of the Reports). Such crimes are dealt with by administering strict and appropriate dispositions and sentences. This Act was revised in June 2014 to criminalize acts of producing child pornography through secret filming, as well as acts of possession and storage of child pornography for the purpose of satisfying sexual curiosity.

41. To reduce browsing by youths of harmful information on the Internet including pornography, the GOJ implements measures to improve youths' Internet literacy by providing information, raising awareness, and promoting the use of filtering services.

Question 8

Please provide updated information on the measures taken to provide high-quality support services to women, including disadvantaged groups of women such as minority, indigenous and migrant women, in order for them to bring complaints and to seek protection and redress. Please also indicate the measures taken to disseminate and ensure the implementation of the legal provisions providing protection to foreign women who are victims of spousal violence without revoking their status of residence.

(Answer)

(The first question of Q8)

42. Measures undertaken by the Ministry of Justice (MOJ) are provided in para. 49 of the Reports. The MOJ sets up Human Rights Counselling Offices for Foreign Nationals that provide interpretation in 10 Legal Affairs Bureaus, including those at district level. They offer human rights consultation services for foreign nationals.

43. See para. 45 of the sixth Report regarding the support services provided by Japan Legal Support Centre.

44. See paras. 47, 48, and 392 of the Reports for details on measures taken by the police. When advice is sought from victims of human trafficking, in addition to the measures described in the answer to Q6, the police take additional measures, such as giving due consideration to the venue for, and language in which to conduct

consultation. In addition, the police seek to protect and identify victims promptly by making available numbers that permit anonymous phone calls, by producing and distributing leaflets, and by uploading publicity and educational films on the police website.

45. See the answer to Q6 for responses to victims of sex crimes.

46. In addition to the measures in para. 71 of the Reports, the Ministry of Health, Labour and Welfare formulated the Women's Consulting Offices Guidelines in March 2014, and the Counselling and Support Guidelines for Women's Consultants in March 2015. The aim of these Guidelines was to improve the quality of the consultation services provided by the Women's Consulting Offices.

47. For foreign victims, in addition to the measures in para. 200 of the Reports, the Cabinet Office provides the information in eight languages on its website. Furthermore, it provides the pamphlets in Braille.

(The second question of Q8)

48. When foreign nationals require temporary evacuation or protection from spousal violence, their status of residence is not revoked, providing that there are "justifiable reasons" for evacuation or protection under item 1 of article 22-4 of the Immigration Control and Refugee Recognition Act. Such treatment is also clearly provided for under the Basic Policy Related to the Prevention of Spousal Violence and the Protection of Victims.

49. Furthermore, for foreign nationals recognized as victims of spousal violence, measures are taken to ensure an appropriate response from a humanitarian perspective and one that gives careful consideration to their situation, with a correct understanding of their individual circumstances, such as being forced into separation due to spousal violence. These measures include providing training to staff about ideas and investigative methods related to human rights, several times a year.

Question 9

The Committee has been informed of recent public statements that there was no evidence that proved the forcible removal of "comfort women". Please comment on this information. Please also indicate whether the State party intends to take compensatory measures on behalf of "comfort women" in countries other than those covered by the Asian Women's Fund, including in China and Timor-Leste, and prosecute the perpetrators. Please indicate whether the State party intends to reintegrate into school textbooks references to the issue of "comfort women", and raise awareness among the population of the issue.

(Answer)

50. With the recognition that the comfort women issue continues to impact the development of Japan-Republic of Korea relations, Governments of Japan and the Republic of Korea agreed at the Japan-Republic of Korea Summit Meeting held on 2 November 2015, to continue and accelerate consultations on the issue towards its conclusion as promptly as possible. Subsequently, intensive bilateral consultations, including the Director-General consultations between the diplomatic authorities of

the two countries, were carried out. On 28 December, the Foreign Ministers of Japan and the Republic of Korea met and made an announcement (see Attachment) at a joint press occasion. Later on the same day, the leaders of Japan and the Republic of Korea spoke over the telephone and confirmed the content of the announcement. With this agreement, the Government of Japan (GOJ) and the Government of the Republic of Korea confirmed that the issue of comfort women is resolved finally and irreversibly.

51. Under the above-mentioned circumstances, the GOJ answers the questions posed by the committee as follows:

1. Regarding the question on the "recent public statements that there was no evidence that proved the forcible removal of 'comfort women'":

- The GOJ has conducted a full-scale fact-finding study on the comfort women issue since the early 1990s when the issue started to be taken up as a political issue between Japan and the Republic of Korea. The fact-finding study included
(1) research and investigation on related documents owned by relevant ministries and agencies of the GOJ, (2) document searches at the U.S. National Archives and Records Administration, as well as (3) hearings of relevant individuals including former military parties and managers of comfort stations and analysis of testimonies collected by the Korean Council. "Forceful taking away" of comfort women by the military and government authorities could not be confirmed in any of the documents that the GOJ was able to identify in the above-mentioned study.

2. Regarding the question "whether the State party intends to take compensatory measures on behalf of 'comfort women' in countries other than those covered by the Asian Women's Fund, including in China and Timor-Leste, and prosecute the perpetrators":

- The GOJ does not have such intention of doing so.

3. Regarding the question "whether the State party intends to reintegrate into school textbooks references to the issue of 'comfort women', and raise awareness among the population of the issue":

- The GOJ is not in a position to answer the question on the specific contents which are taken up in school textbooks and how these contents are described, since the GOJ does not adopt a government-designated textbook system.

Q9 Attachment

(provisional translation)

Announcement by Foreign Ministers of Japan and the Republic of Korea at the Joint Press Occasion

Foreign Minister Kishida

The Government of Japan and the Government of the Republic of Korea have intensively discussed the issue of comfort women between Japan and the Republic of Korea at bilateral meetings including the Director-General consultations. Based on the result of such discussions, I, on behalf of the Government of Japan, state the following:

(1) The issue of comfort women, with an involvement of the Japanese military authorities at that time, was a grave affront to the honour and dignity of large numbers of women, and the Government of Japan is painfully aware of responsibilities from this perspective.

As Prime Minister of Japan, Prime Minister Abe expresses anew his most sincere apologies and remorse to all the women who underwent immeasurable and painful experiences and suffered incurable physical and psychological wounds as comfort women.

(2) The Government of Japan has been sincerely dealing with this issue. Building on such experience, the Government of Japan will now take measures to heal psychological wounds of all former comfort women through its budget. To be more specific, it has been decided that the Government of the Republic of Korea establish a foundation for the purpose of providing support for the former comfort women, that its funds be contributed by the Government of Japan as a one-time contribution through its budget, and that projects for recovering the honour and dignity and healing the psychological wounds of all former comfort women be carried out under the cooperation between the Government of Japan and the Government of the Republic of Korea.

(3) While stating the above, the Government of Japan confirms that this issue is resolved finally and irreversibly with this announcement, on the premise that the Government will steadily implement the measures specified in (2) above.

In addition, together with the Government of the Republic of Korea, the Government of Japan will refrain from accusing or criticizing each other regarding this issue in the international community, including at the United Nations.

Foreign Minister Yun

The Government of the Republic of Korea and the Government of Japan have intensively discussed the issue of comfort women between the Republic of Korea and Japan at bilateral meetings including the Director-General consultations. Based on the result of such discussions, I, on behalf of the Government of the Republic of Korea, state the following:

(1) The Government of the Republic of Korea values the GOJ's announcement and efforts made by the Government of Japan in the lead-up to the issuance of the announcement and confirms, together with the GOJ, that the issue is resolved finally and irreversibly with this announcement, on the premise that the Government of Japan will steadily implement the measures specified in 1. (2) above. The Government of the Republic of Korea will cooperate in the implementation of the Government of Japan's measures.

(2) The Government of the Republic of Korea acknowledges the fact that the Government of Japan is concerned about the statue built in front of the Embassy of Japan in Seoul from the viewpoint of preventing any disturbance of the peace of the mission or impairment of its dignity, and will strive to solve this issue in an appropriate manner through taking measures such as consulting with related organizations about possible ways of addressing this issue.

(3) The Government of the Republic of Korea, together with the Government of Japan, will refrain from accusing or criticizing each other regarding

this issue in the international community, including at the United Nations, on the premise that the Government of Japan will steadily implement the measures it announced.

(END)

Question 10

Please provide information on the number of complaints received on trafficking and exploitation of prostitution, as well as the investigations, prosecutions, convictions and penalties imposed on the perpetrators of such crimes. Please indicate the measures taken and envisaged to establish specific shelters for women who are victims of trafficking throughout the country, ensure that all victims of trafficking have access to adequate services and ensure that victims are rehabilitated and reintegrated as appropriate. Please also indicate the measures taken to ensure that internship and foreign trainee programmes are not used for the purposes of forced labour and sexual exploitation.

(Answer)

(Overview)

52. In 2004, the GOJ formulated the Action Plan to Combat Trafficking in Persons (hereinafter "the Action Plan") and implemented comprehensive measures which succeeded in reducing the number of victims from 117 in 2005 to 17 in 2009. Thereafter, the Government of Japan (GOJ) implemented countermeasures against human trafficking based on the 2009 Action Plan (see para. 187 of the Reports). In December 2014, the GOJ formulated the 2014 Action Plan to and established the Council for the Promotion of Measures to Combat Trafficking in Persons, comprising Cabinet Ministers. In May 2015, the GOJ published the first annual report on measures to combat trafficking in persons.

(The first question of Q10)

53. See appendix.

(The second question of Q10)

54. See paras. 197 through 205 of the Reports for the measures taken to protect potential victims.

55. In line with the agreements of the Inter-Ministerial Liaison Committee on trafficking in persons, the police are identifying the victims and protecting them in conjunction with the relevant organizations (see also the answer to Q8).

56. In September 2012, booklets on crimes related to trafficking in persons were produced and distributed with the aim of addressing the problem through closer cooperation between the police and the Women's Consulting Offices.

57. The Women's Consulting Offices provide protection for female victims of trafficking in persons regardless of their nationality or age. These offices are working to improve the support provided, including providing food, clothing, and shelter while respecting the victims' religion and dietary needs; giving consideration to arranging for rooms, baths and meals; appointing psychological

counselling staff, interpreters, and night-time security guards; providing support for medical expenses; and disseminating information on legal assistance. In addition, work for the temporary protection of female victims of trafficking in persons may also be entrusted to shelters in the private sector in some cases.

58. Ministry of Foreign Affairs provides voluntary repatriation and reintegration assistance for foreign trafficking victims who are identified in Japan, through contributions to the International Organization for Migration (IOM). This project can be categorized as: (1) Assistance for voluntary return to the home country, which includes counselling, departure assistance, etc.; and (2) Assistance for social reintegration, which includes provision of shelter, medical care, legal consultation, and educational support, etc. A total of 269 foreign victims have been provided with repatriation assistance since the launch of the project in 2005.

(The third question of Q10)

59. Regarding projects entrusted by the Ministry of Health, Labour and Welfare to the Japan International Training Cooperation Organization (JITCO), information is provided to the relevant administrative organizations and to implement appropriate measures in cases when the JITCO provides guidance during on-site inspections on the implementation status of technical intern training, or when suspicions arise of violations of laws and regulations related to labour as well as immigration in the course of native-language telephone consultations for technical intern trainees.

60. The Immigration Bureau strictly deals with implementing organizations that have engaged in serious acts of human rights infringement such as violence or confiscating travel documents from technical intern trainees or malpractices such as non-payment of wages, by imposing measures such as prohibition from accepting technical intern trainees for five years. The Labour Standards Inspection Office (LSIO) and the Immigration Bureau may share information with each other. The LSIO proactively conducts supervision of companies that employ technical intern trainees and take strict measures including judicial measures, when violations of the Labour Standards Act have been confirmed.

61. Sexual harassment in the workplace is also dealt with strictly in accordance with the Act on Equal Employment Opportunity.

62. In order to ensure that technical intern trainees acquire proper skills and to improve protection of the trainees, related draft legislation have been submitted to the Diet and carried over to the next session. This legislation establishes penalties for acts of human rights violations of technical intern trainees, and introduces measures concerning the protection of the trainees, including establishing contact points for consultations and reporting by the trainees. In case information has been obtained about suspicions of violations regarding laws and regulations related to labour as well as immigration, the information is provided to the relevant administrative organizations, and appropriate measures are taken.

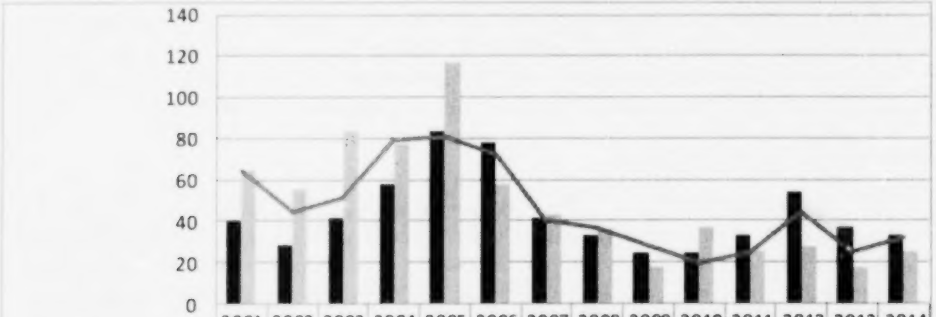
Q10 Appendix

1. Human trafficking

(1) Number of people who came under protection in Japan in 2014 as victims of human trafficking: 25 (all female)

(2) Number of people arrested by the Police: 33 persons (including 6 brokers) in 32 cases (out of which 27 were prosecuted (18 convicted, 8 pending trial, 1 person had the prosecution dismissed, as of the end of March 2015), 2 were not prosecuted due to problems such as evidential circumstances, 4 were referred to the family court

(3) Changes in the number of suspects for the crime of trafficking in persons, number of victims, and number of cases of arrests made



	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
No. of suspects	40	28	41	58	83	78	41	33	24	24	33	54	37	33
No. of victims	65	55	83	77	117	58	43	36	17	37	25	27	17	25
No. of arrests	64	44	51	79	81	72	40	36	28	19	25	44	25	32

(4) Offenses that criminals of trafficking in persons were sentenced for and the results of the trials in 2014

No.	*Offense*	*Results of trial, etc.*
1	Extortion, violation of Act on Punishment of Physical Violence and Others and Anti-Prostitution Act	4 years imprisonment, 300,000 yen fine
2	Extortion, violation of Anti-Prostitution Act	2 years 6 months imprisonment, 3 years' probation, 200,000 yen fine
3	Violation of Employment Security Act	500,000 yen fine
4	Violation of Act on Punishment of Physical Violence and Others	2 years imprisonment, 5 years' probation
5	Violation of Act on Control and Improvement of Amusement Business, etc.	1 million yen fine
6	Violation of Employment Security Act	500,000 yen fine
7	Violation of Employment Security Act	500,000 yen fine
8	Buying of persons for the purpose of indecency	3 years imprisonment, 5 years' probation

No.	*Offense*	*Results of trial, etc.*
9	Violation of Stimulants Control Act, Cannabis Control Act, Anti-Prostitution Act, and Child Welfare Act	4 years 6 months imprisonment, 800,000 yen fine
10	Violation of Stimulants Control Act and Ordinance of Juvenile Protection	1 year 2 months imprisonment
11	Violation of Stimulants Control Act, Anti-Prostitution Act, and Child Welfare Act	2 years 6 months imprisonment, 4 years' probation
12	Attempted extortion, causing of injury, violation of Anti-Prostitution Act	2 years 8 months imprisonment
13	Violation of Anti-Prostitution Act	1 year 6 months imprisonment, 3 years' probation, 100,000 yen fine
14	Violation of Immigration Control and Refugee Recognition Act	500,000 yen fine
15	Confinement, selling of persons	Pending trial
16	Confinement, selling of persons	Pending trial
17	Buying of persons for the purpose of marriage	Pending trial
18	Attempted extortion, causing of injury, violation of Child Welfare Act and Anti-Prostitution Act	4 years imprisonment, 200,000 yen fine
19	Violation of Anti-Prostitution Act, causing of injury, violation of Child Welfare Act	Pending trial
20	Breaking and entering, theft, violation of Anti-Prostitution Act, fraud	Pending trial
21	Breaking and entering, theft, violation of Anti-Prostitution Act, fraud	Pending trial
22	Violation of Anti-Prostitution Act, fraud	Pending trial
23	Violation of Child Welfare Act and Anti-Prostitution Act	Pending trial
24	Violation of Child Welfare Act and Anti-Prostitution Act	1 year 6 months imprisonment, 4 years' probation
25	Violation of Immigration Control and Refugee Recognition Act	Charges dropped (death of the accused)
26	Violation of Child Welfare Act	2 years imprisonment, 4 years' probation
27	Violation of Child Welfare Act	2 years imprisonment, 4 years' probation

(5) Number of people found guilty of offenses regarded as trafficking in persons in accordance with article 226-2 of the Penal Code, in the first instance trials for which final judgment was made in 2014: 2

2. Prostitution

(1) Number of people arrested by the police in 2014:

- 535 people for 817 cases of violation of the Anti-Prostitution Act (of which 558 cases were related to dispatch or management)
- 587 persons for 661 cases of child prostitution

(2) Number of newly received suspects by the Prosecutor's office in 2014:

- 773 newly received suspects for violation of the Anti-Prostitution Act
- 436 suspects prosecuted for violation of the Anti-Prostitution Act
- 327 suspects not prosecuted for violation of the Anti-Prostitution Act
- 2,386 newly received suspects for violation of the Act on Regulation and Punishment of Acts Relating to Child Prostitution and Child Pornography
- 1,417 suspects prosecuted for violation of the Act on Regulation and Punishment of Acts Relating to Child Prostitution and Child Pornography
- 640 suspects not prosecuted for violation of the Act on Regulation and Punishment of Acts Relating to Child Prostitution and Child Pornography

(3) Number of people who were found guilty in the first instance trials for which final judgment was made in 2014:

- 144 people of offenses related to the Anti-Prostitution Act
- 141 were found guilty for Child Prostitution offenses

Question 11

Please indicate whether the State party envisages amending the Anti-Prostitution Act to decriminalize women engaged in prostitution and adopting legal and/or other measures aimed at discouraging the demand for prostitution. Please also indicate the measures taken to provide educational and economic alternatives to prostitution, and to introduce exit programmes and rehabilitation and reintegration measures for women wishing to leave prostitution.

(Answer)

(The first question of Q11)

63. The Anti-Prostitution Act does not set forth any provisions which punish the act of prostitution undertaken by women.

64. The Act sets forth provisions which punish acts that include subjecting a person to prostitution by embarrassment, making a contract to make a person prostitute, providing a place for prostitution, and operating a business that subjects others to prostitution.

65. The Act on Regulation and Punishment of Acts Relating to Child Prostitution and Child Pornography, and the Protection of Children sets forth provisions which punish child prostitution. The Government of Japan makes efforts to realize strict and appropriate dispositions and sentencing for such crimes.

66. To eradicate prostitution-related crimes, the police promote crackdowns against acts that include subjecting others to prostitution and take measures to deprive criminals of revenue gained through such acts.

(The second question of Q11)

67. Various initiatives are being undertaken for those who have previously engaged in prostitution, including educational measures for raising awareness about the dangers of prostitution and to provide alternative economic solutions.

68. For example, in places such as prisons and Juvenile training schools, female inmates who have previously engaged in prostitution are provided with correctional education corresponding to their individual characteristics and needs as well as arrangements for places to return to after release and support for their studies or employment.

69. At juvenile training schools, female inmates who have previously engaged in prostitution or sexually deviant acts related to prostitution are provided with education about sex, taught to recognize the dangers of such acts, and provided with support to acquire the skills for developing their future paths. Direction and content of standard programmes related to improving sexual behaviour problems are under review.

70. Probation offices assist probationers to obtain employment and residences so that probationers and the parolees can live independently without relying on soliciting, while taking into consideration their self-help responsibilities.

Question 12

The existence of the third basic plan for gender equality defining quotas aimed at increasing the participation of women in political and public life is indicated in the report (CEDAW/C/JPN/7-8, para. 4). Please provide information on the effective implementation of the plan and indicate whether it includes incentive, sanction and/or enforcement mechanisms to ensure compliance with the quotas. Please indicate whether the State party undertakes awareness-raising campaigns on the importance of women's participation in decision-making for society as a whole. Please provide information on efforts made to further increase the participation of women in political and public life, specifically through the adoption of temporary special measures, including quotas, to accelerate the achievement of substantive equality between women and men.

(Answer)

(The first question of Q12)

71. The Third Basic Plan establishes the goal of "increasing the proportion of women in leadership positions in all areas of society to at around 30 per cent by 2020" (hereinafter the "30 per cent by 2020" goal), and of promoting effective positive actions. For expanding women's participation in all areas including the political and government administration areas, the Government of Japan (GOJ)

established government-wide performance objectives based on the Third Basic Plan, and is making efforts to achieve these objectives.

72. For example, in government administration, the GOJ implements measures to enhance effectiveness in relation to the achievement of numerical targets by conducting follow-up studies every year, and publishing the results of the studies widely in an easy-to-understand format that is divided up into the areas covered by each ministry. Consequently, the proportion of female members in national and local advisory councils has increased steadily to exceed 30 per cent. Furthermore, women's participation in government administration is expanding steadily (see the answer to Q3).

73. In the political arena as well, the Third Basic Plan has established the non-binding target of increasing the proportion of female candidates for the elections of the House of Representatives and the House of Councillors to "30 per cent by 2020". Considering factors such as freedom of political activities and the fact that members of the Diet are elected directly by citizens in the Japanese electoral system, the GOJ has undertaken measures for promoting voluntary initiatives by political parties to achieve this target. For instance, on four occasions in total from 2011 to 2015, the political executives of the Cabinet Office made requests to political parties to take positive action in this area. As a result, partisan and bipartisan discussions on expanding women's participation in the political area are becoming increasingly active.

74. Regarding the quota system, the Expert Committee on Basic Gender Equality Issues and Impact Assessment and Evaluation (December 2012) established by the GOJ identified the need for more careful consideration of the substantial relationship between objectives and means in relation to the Japanese Constitution, since making the quota system mandatory by law is the most severe method among the positive action measures and may impose excessive burdens on the opposite sex.

(The second question of Q12)

75. In view of the "30 per cent by 2020" goal (see para. 229 of the Reports), the GOJ is actively engaged in publicity and educational activities to raise awareness about the importance of expanding women's participation in policy and decision-making processes.

76. Specific measures include those described in para. 170 of the Reports, as well as the establishment of an award commending Leading Companies Where Women Shine (i.e. leading companies which promote women's participation) in FY2014. This award is targeted at companies that stand out in their policies, initiatives, and results in the employment and promotion of women in addition to the disclosure of such information, based on the Japan Revitalization Strategy approved by the Cabinet in June 2013. By widely disseminating positive examples of companies that have put in place initiatives for women's employment and promotion, the GOJ raises awareness and disseminates the importance of women's participation in decision-making processes.

(The third question of Q12)

77. As described earlier, the Third Basic Plan clearly sets forth the "30 per cent by 2020" goal, and also promotes effective positive action towards expanding women's participation in all areas.

78. In particular, with the recognition of the importance of expanding women's participation in the political and government administration areas, the GOJ carries out measures in the Reports based on the Third Basic Plan (see articles 4 and 7 of the Reports).

79. In the political field, further to making requests to the political parties as mentioned above, the GOJ made the "Women in Politics Map 2015", which summarizes the status of women's participation in local politics for use as reference material when making requests to the political parties. In addition, the Map was published on the website of the Cabinet Office and distributed to the respective local governments as part of measures to raise awareness on expanding women's participation in the political field.

80. Furthermore, for realization of an environment that facilitates the participation of female members of the Diet and local assemblies, the Minister in charge of Women's Empowerment and Minister of State for Gender Equality requested the National Association of Chairpersons of City Councils and National Association of Chairmen of Town and Village Assemblies to set forth written provisions on absenteeism from meetings due to childbearing in the standard council meeting rules. Consequently, these two associations revised their standard council meeting rules in May 2015 and established provisions for absenteeism from meetings due to childbearing in all councils and assemblies in July 2015. The GOJ will continue its efforts to encourage political parties and other organizations to increase the proportion of female candidates in national and municipal elections.

81. In the area of government administration, regarding national government employees, the Guidelines for Initiatives to Promote Work-Life Balance and the Empowerment of Female National Government Employees was formulated (see the answer to Q3 for details). Regarding local government employees, local governments are requested to promote voluntary measures such as spreading information about initiatives for national government employees under the abovementioned Guidelines through conferences and the issuance of notices on promoting work-life balance and expanding the recruitment, employment and promotion of female local government employees. At the same time, necessary information and advice is also provided through means such as introducing examples of leading initiatives, including utilization of telecommuting undertaken by local governments to promote women's active participation. Local Autonomy College, a national training institution for local government employees, offers executive promotion training courses to local government employees, and makes efforts to promote initiatives such as expanding the training course to make it convenient for women to participate.

82. In addition, the GOJ requested the independent administrative agencies to set targets for the employment and promotion of women as executive officers and managers. In October 2014, the Cabinet Office summarized the targets set by the respective agencies and published them on the website to promote voluntary measures.

83. With the enactment of the Women's Participation Promotion Act (see the answer to Q3), the GOJ will make efforts to further promote the expansion of women's participation in all aspects of society through the steady implementation of the Act.

Question 13

Please indicate whether the State party envisages adopting specific measures aimed at enhancing the education of women, including minority women, by:

(a) Increasing the enrolment of women in traditionally male-dominated fields of study;

(b) Increasing the percentage of women in colleges and universities;

(c) Further increasing the number of women in managerial positions in schools and those teaching at universities;

(d) Integrating the promotion of gender equality into the Basic Act on Education.

(Answer)

84. The Government of Japan (GOJ) assumes the following measures to enrich education for women, including minorities.

(a) Natural science has traditionally been dominated by men. The proportion of female undergraduates studying science is 26.2 per cent, for engineering the proportion is 12.3 per cent, and for agriculture it is 43.6 per cent. The GOJ disseminates career guidance instruction based on the aptitude of students regardless of their gender. The GOJ provides financial support as scholarship loans and tuition fee exemptions to outstanding students in order to increase the opportunities for those wish to advance their studies. The GOJ assists universities and other institutions that support female researchers. The GOJ supports science symposiums and experimental lectures held by universities and independent administrative agencies such as the National Women's Education Centre, to increase interest in the sciences among female students, and allow them to choose the sciences as the field in which to pursue their careers. For students with little interest in the sciences, the GOJ organizes school visits to encourage students to choose the sciences for their career paths.

(b) To increase the proportion of female researchers, the GOJ supported the efforts of universities and other institutions that develop study environments which a balance between research and life-events since FY2006, and supported the universities that employ and train female researchers in natural science from FY2009 to FY2014. Through such initiatives, the proportion of female faculty members at universities and two-year colleges increased to 23.8 per cent by FY2014.

(c) The Third Basic Plan has established the "30 per cent by 2020" goal for educational and research institutions, as well as the target of ensuring that there are no boards of education without female committees. The GOJ conducts a survey every year and when sending the results to each superintendent, the GOJ requests the appointment of personnel with suitable qualifications and capabilities by improving the selection process, for example by promoting women to managerial

positions. In January and September 2006, the GOJ also made requests to universities to promote the appointment of female faculty members.

(d) The provisions of article 5 of the former Basic Act on Education were prescribed with the objective of eradicating the institutional differences based on gender that exist in the pre-war education system, and to encourage co-education. However, at present, these objectives have become fait accompli, as demonstrated through the founding of a large number of co-educational schools, and the historical significance of the article has been fulfilled. Thus, the provisions were abolished during the 2006 revision. Under the existing Basic Act on Education, it has been clearly set forth in para. 3 of article 2 as one of the objectives to cultivate an attitude that honours gender equality based on the fundamental philosophy of recognizing the importance of incorporating gender equality. The Third Basic Plan also establishes the goals of "enhancement of education and learning that enables diverse choices and promotes gender equality". Hence, the GOJ strives to enhance learning and education that promotes gender equality, including dispelling stereotyped perceptions of gender roles.

Question 14

Please indicate additional measures envisaged to:

(a) Develop a comprehensive policy to promote equality of women and men in employment;

(b) Promote the participation of minority women in the labour market;

(c) Eliminate occupational segregation, both horizontal and vertical;

(d) Address the predominance of women in fixed-term, part-time and non-regular employment;

(e) Eliminate the illegal dismissal of women owing to pregnancy and childbirth;

(f) Ensure that women are not compelled to resign for being unable to balance work and family life;

(g) Promote the equal sharing of family responsibilities between women and men;

(h) Ensure equal pay for work of equal value, including by adopting legal provisions recognizing this principle;

(i) Adopt legal provisions sanctioning sexual harassment in the workplace;

(j) Study the monetary value of women's unpaid work;

(k) Reduce the gender gap in pension benefits;

(l) Ensure high-quality childcare.

(Answer)

1. Enactment of the Women's Participation Promotion Act and Advancement in the Workplace [Related to (a), (b) and (c)]

(1) Expanding women's participation in the labour market

85. The Women's Participation Promotion Act was established in August 2015 to promote the empowerment of all women in regard to work, including non-regular workers, those who are not working, and minorities (see the answer to Q3).

(2) Eradication of the wage gap between men and women [Related to (h)]

86. In the formulation of an action plan based on this Act, business owners are required to obtain information on and analyse the status of, women's participation in their own companies, including analysis of the proportion of women in managerial positions and the gender gap in length of service in the company, which are the main factors contributing to wage gap between men and women (see para. 319 of the Reports). As a result, measures aimed at resolving these issues are implemented, and are expected to contribute to reducing the wage gap.

2. Measures related to workers in private companies

(1) Policy for equal opportunities in employment [Related to (i)]

87. The Act on Equal Employment Opportunity sets forth countermeasures for sexual harassment, etc. Equal employment opportunity offices in the prefectures provide strict guidance and instruction for business owners who violate this Act.

(2) Continuing employment for women [Related to (e) and (f)]

88. Disadvantageous treatment for reasons such as pregnancy, childbirth, and taking childcare leave is prohibited under the Act on Equal Employment Opportunity and the Child Care and Family Care Leave Law. Cases where business owners use those reasons, as an opportunity to treat employees disadvantageously are assessed to be violations of the Act in principle, based on the notification issued in January 2015 in light of a Supreme Court ruling. These violations shall be strictly dealt with by prefectural equal employment opportunity offices. For further prevention of disadvantageous treatment, the Government of Japan (GOJ) will consider stronger measures, including legal measures at the next ordinary Diet session.

(3) Measures for part-time workers [Related to (d)]

89. The revised Part-Time Labour Act took effect in April 2015. This expands the range of workers for whom discriminatory treatment compared to ordinary workers is prohibited. Efforts are being made to ensure the steady implementation of this Act through dissemination of information about the Act, and by providing corrective guidance.

(4) Promotion of the project for enhancing transitions to permanent employee status [Related (d)]

90. Measures are promoted to convert non-permanent employees to permanent employees, including women who wish to become permanent employees, and to

improve their benefits based on the project for enhancing transitions to permanent employee status.

3. Promoting work-life balance among men, and their involvement in childcare/housework

(1) Realization of work-life balance [Related to (g)]

91. For measures to realize work life balance, see para. 327 of the Reports.

(2) Promoting involvement of men in childcare/housework [Related to (g)]

92. The GOJ implements activities to raise awareness for a society where men are proactively involved in housework and childcare (such as the Ikumen Corporate Awards in para. 337 of the reports). In addition, in FY2016, there are plans to establish the Grant for Initiatives to Support Work-Life Balance After Childbirth, which offers grants to business owners who allow male workers to take parental leave after the birth of their children.

93. With the 2014 revision, the payout rate of parental leave benefits for the six months after the start of the leave period was increased to 67 per cent. Parental leave benefits are exempt from tax.

94. Furthermore, social insurance premiums are exempt for the insured party and the business owner during the period of leave before birth, after birth, and during parental leave, through the submission of an application from the business owner.

95. These benefits cover 80 per cent of the actual take-home salary before going on leave.

4. Others

(1) Ensuring the quality of childcare [Related to (l)]

96. Please see article 11.7 of the Reports.

97. Through the new childcare support system that was implemented in April 2015 (see para. 326 of the reports), support for raising children has been enhanced to respond to diverse needs.

98. With regard to increasing slots at childcare facilities to reduce the number of children on waiting lists (see para. 344 of the Reports), childcare facilities increased coverage by 219,000 people in the two years of FY2013 and FY2014. This increase exceeds the objectives set for this intensive period of activity, and the GOJ will continue to further increase slots for childcare facilities.

99. Measures are also being taken to improve the quality of childcare, including improving conditions for nursery school teachers and improving the allocation of staff for three-year-olds.

(2) Expanding the scope of application of social insurance [Related to (k)]

100. From the perspective of improving the safety net for employees and correcting the gap in pension benefits, and to ensure neutrality in the selection of working styles and promoting women's willingness to work, the scope of

application of social insurance for part-time workers who fulfil certain criteria will be expanded from October 2016.

(3) Studies to assess the monetary value of unpaid labour by women [Related to (j)]

101. Studies have been conducted on a random basis to assess the monetary value of unpaid labour by women (the last one was conducted in 2008).

Question 15

The State party indicates in its report that abortion is a crime, under article 212 of the Penal Code, except to protect the life and health of the mother, as provided for by the Maternal Protection Act (para. 359). The Committee has also been informed that article 14 of the Act requires a woman who seeks abortion to obtain authorization from her male partner. Please provide details on the conditions in which abortion is authorized, in law and in practice, and indicate the measures envisaged to legalize abortion in cases of rape, incest and severe malformation of the foetus.

(Answer)

102. Under para. 1 of article 14 of the Maternal Protection Act, designated doctors may carry out abortion with the consent of the mother and her spouse in cases when (1) there are concerns that continued pregnancy or delivery of the baby would cause significant harm to the mother's health due to physical or financial reasons, and (2) for those who were impregnated through acts of fornication through violence or intimidation, or in situations where it was impossible to resist or reject the act. In addition, under para. 2 of the same article, the consent referred to the previous paragraph can be given by the mother alone when the spouse is unknown or unable to indicate his intention, or in cases where the spouse died after the woman became pregnant. Such cases do not constitute abortion crime (article 212 of the Penal Code).

103. In cases where a woman has been impregnated as a consequence of rape, abortion has already been legalized as described in (2) above. With regard to cases of incest and fetal malformation, abortion can also be legal where the aforementioned points (1) or (2) are applicable.

Question 16

Please provide data on the availability and accessibility of comprehensive age-appropriate education on sexual and reproductive health and rights and the rate of contraceptive use. Please also provide information on measures taken to provide compensation to women with disabilities who have been subjected to forced sterilization. Please provide information, along with data, on the mental and psychological health of women.

(Answer)

(The first question of Q16)

(a) For the promotion of responsible behaviour and enjoyment of health, it is necessary for men and women to fully understand and respect the physical differences between them based on accurate knowledge and information. Education at school is provided with the aim of helping students acquire knowledge about

physical and mental development and health, prevention of sexually transmitted diseases, and to help them act in an appropriate manner. In line with the "Courses of Study" designated by the MEXT, education is provided for all students in elementary, junior high, and senior high schools, with a focus on the areas of health and physical education. The Government of Japan (GOJ) provides effective guidance to schools so that group and individual teaching complement one another, while taking into consideration the developmental stage of the student, the need to achieve a common understanding in schools, and importance of gaining the understanding of parents/guardians in providing this education Furthermore, teaching materials that provide a comprehensive interpretation of health problems faced by students, including sexually transmitted diseases and pregnancy/childbearing, are distributed to enrich the educational programme.

(b) The usage rate for oral contraceptives by women was 3.4 per cent based on a study conducted in 2010.

(The second question of Q16)

104. Eugenic surgery based on the Eugenic Protection Act enacted through lawmaker-initiated legislation has been performed in Japan in line with strict procedures such as obtaining the consent of the patient or application from the doctor, assessment by the Prefectural Eugenic Protection Committee, a second assessment by the Council on Public Health, and the filing of a court action by the patient. The Eugenic Protection Act was revised and renamed the Maternal Protection Act through lawmaker-initiated legislation in 1996. This Act does not have provisions related to eugenic surgery except for allowing sterilization surgery only in cases where such surgery is necessary to protect the life and health of the mother.

(The third question of Q16)

105. The number of patients diagnosed with mental disorders, such as depression and mood disorders, includes a larger number of women, similar to the situation in other countries.

106. The GOJ has established a system that enables proper access to necessary medical care by providing consultation support at public health centres and mental health welfare centres and home visits to patients conducted by those centres. With regard to mental disorders, The GOJ provides information on mental disorders and illness along with various support services.

Q16. Appendix:
Number of patients with mental disorders (by age, group) (thousands of people)

• 2005

		Male										Female									
Category of illness	*ICD-10 Code*	*Total number*	*0-19*	*20-29*	*30-39*	*40-49*	*50-59*	*60-69*	*70-79*	*80-89*	*90 and above (including unknown)*	*Total number*	*0-19*	*20-29*	*30-39*	*40-49*	*50-59*	*60-69*	*70-79*	*80-89*	*90 and above (including unknown)*
Schizophrenia, schizophrenic disorder, and delusional disorder	F20-29	362	6	37	79	73	83	54	23	4	1	396	6	33	70	73	86	78	38	11	2
Mood [emotional] disorders (including manic depression	F30-39	338	7	31	68	72	63	49	37	8	2	586	8	57	94	86	88	99	109	41	3
Neurotic disorders, stress-related disorders, and somatoform disorder	F40-48	204	12	23	48	32	39	25	20	5	0	381	16	45	79	50	62	53	56	18	3
Mental and behavioural disorders due to alcohol use (drinking), and other mental and behavioural disorders due to the use of other mind-altering substances	F10-19	50	0	1	4	9	12	13	8	0	0	10	0	1	3	2	1	1	0	0	0

Category of illness	ICD-10 Code	Male										Female									
		Total number	0-19	20-29	30-39	40-49	50-59	60-69	70-79	80-89	90 and above (including unknown)	Total number	0-19	20-29	30-39	40-49	50-59	60-69	70-79	80-89	90 and above (including unknown)
Schizophrenia, schizophrenic disorder, and delusional disorder	F20-29	386	5	31	75	83	92	65	28	6	0	410	7	37	61	72	87	78	50	15	4
Mood [emotional] disorders (including manic depression	F30-39	386	6	25	79	84	71	59	46	15	1	655	9	60	102	105	97	120	118	40	6
Neurotic disorders, stress-related disorders, and somatoform disorder	F40-48	208	10	22	41	37	36	28	24	9	1	381	20	37	67	66	54	62	55	21	3
Mental and behavioural disorders due to alcohol use (drinking), and other mental and behavioural disorders due to the use of other mind-altering substances	F10-19	53	0	1	6	7	11	15	8	1	0	13	0	1	3	1	3	3	0	0	0

		Male										Female									
Category of illness	*ICD-10 Code*	*Total number*	*0-19*	*20-29*	*30-39*	*40-49*	*50-59*	*60-69*	*70-79*	*80-89*	*90 and above (including unknown)*	*Total number*	*0-19*	*20-29*	*30-39*	*40-49*	*50-59*	*60-69*	*70-79*	*80-89*	*90 and above (including unknown)*
Schizophrenia, schizophrenic disorder, and delusional disorder	F20-29	354	5	31	68	84	70	63	27	7	1	360	6	26	58	64	66	72	49	17	3
Mood [emotional] disorders (including manic depression	F30-39	374	3	30	67	85	76	52	45	13	4	584	5	49	96	100	80	99	93	56	7
Neurotic disorders, stress-related disorders, and somatoform disorder	F40-48	215	12	31	35	45	32	30	23	6	1	356	15	45	68	67	46	47	47	21	4
Mental and behavioural disorders due to alcohol use (drinking), and other mental and behavioural disorders due to the use of other mind-altering substances	F10-19	56	0	1	8	11	13	17	7	1	0	22	0	2	3	6	4	5	2	0	1

Source: Drawn up by the Department of Health and Welfare for Persons with Disabilities, and the Social Welfare and War Victims' Relief Bureau of the Ministry of Health, Labour and Welfare, based on Patient Surveys.

Question 17

The Committee has been informed that the State party plans to lift the designation as evacuation zones of contaminated areas with radiation exposure levels under 20 millisieverts per year. It has also been informed that health examinations relating to the nuclear disaster in Fukushima are limited to thyroid examinations and are only for residents of Fukushima Prefecture and that free medical treatment is limited to children under 18 years of age. Please indicate the impact of such measures on the health of women, including pregnant women.

(Answer)

107. In December 2011, the Nuclear Emergency Response Headquarters decided on the following conditions to lift evacuation orders.

(1) Confirmation that the annual cumulative dose of radiation is 20mSv or less (air dose rates).

(2) Confirmation of sufficient advancement in the general restoration of essential infrastructure and public services necessary for daily life, and decontamination of public areas with a focus on children's living environments.

(3) Sufficient discussions between prefectural and municipal governments and residents.

108. Experts evaluated that the risk of annual exposure to radiation at doses of 20mSv or less would be sufficiently low enough not to cause cancer compared to the other carcinogenic risks. It was also reported that the risk of annual exposure to doses of 20mSv or less could be fully avoided by steadily conducting appropriate protection measures such as decontamination and management of food safety. Thereby, experts advised the Government of Japan (GOJ) that the 20mSv per year level would be appropriate as a criterion with which to begin implementing measures for advancing the reduction of radiation doses.

109. In addition, according to international scientific findings, regarding women including pregnant women, in the case of low dose exposure of 100mSv or less, the increase in cancer risk due to exposure to radiation is smaller than that of other carcinogenic risks such as smoking. Hence, it is difficult to prove a clear increase in cancer risk caused by low dose exposure.

110. In Japan, local governments carry out health check-ups nationwide in accordance with laws and regulations. Government resources of 78.2 billion yen have been allocated to the Fund for the Fukushima Health Management for the purpose of conducting a health survey for residents. This health survey has the objectives of measuring the degree of radiation that Fukushima residents have been exposed to, as well as obtaining information on residents' state of health, preventing diseases, detecting and treating health problems in their early stages, and maintaining and improving residents' health in the future. The health survey for Fukushima residents includes thyroid ultrasound examinations, as well as a basic survey, comprehensive health check, mental health and lifestyle survey, and pregnancy and birth survey.

111. Regarding the impact on women's health, including pregnant women, in cases where support is assessed to be necessary based on the responses provided, in the Pregnancy and Birth Survey described above, appropriate support is provided, such as telephone support by midwives or public health nurses from professional institutions. In addition, to respond to inquiries by survey respondents on pregnancy, childbearing, childcare, and other health-related questions and concerns, a dedicated hotline and e-mail account have been set up to provide consultation services. These surveys and supports contribute to easing anxiety among pregnant women.

112. In Fukushima, under the Fund for the Fukushima Health Management, internal exposure screenings through whole body counters are also conducted for residents who requested screenings, including pregnant women, who lived in Fukushima at the time of disaster, regardless of their current place of residence.

113. Various forms of health screenings in addition to Thyroid Ultrasound Examinations are carried out, so it is factually incorrect to say that health examinations "are limited to thyroid examinations". Furthermore, the target respondents designated for the respective surveys are different depending on the type of survey. For example, for the Thyroid Ultrasound Examinations, the target respondents are "all residents of the prefecture of about age 18 or below at the time of the disaster," and for the Pregnancy and Birth Survey, they are "those who are presented with the Maternal and Child Health Handbook in the prefecture every fiscal year and those who have been presented with this Handbook outside the prefecture during the same period, but have received prenatal care or delivered a baby in the prefecture". In addition, as local governments carry out health check-ups nationwide in accordance with laws and regulations, it is not accurate to say that only "residents of Fukushima Prefecture" are eligible.

114. A universal health system is in place in Japan, allowing citizens to receive necessary healthcare while paying a small portion of the actual cost. Many local governments also provide grants or full coverage of medical expenses for children as part of their childcare support systems.

115. Under the national health insurance and medical care system for the elderly aged 75 and over, in principle the GOJ provides special financial support to cover the costs of a portion of co-payments to be made by victims in areas that have been designated as evacuation zones. Even in areas that have not been designated as evacuation zones, medical exemption is possible according to the decision of each insurer in disaster afflicted zones that were seriously damaged by the Great East Japan Earthquake. Also, in areas that have not been designated as evacuation zones, in cases where the financial burden is significant, the GOJ provides financial support to cover up to 80 per cent of the amount exempted in designated evacuation zones through special adjustment subsidies. In regard to employees' insurance systems as well, special financial support is provided from the GOJ corresponding to the financial status of the insurer.

Question 18

Please indicate whether the State party has incorporated a gender perspective into national disaster management and relief and recovery strategies, and indicate the measures taken to ensure the equal participation of women at the decision-making level of national disaster management.

(Answer)

116. The Basic Disaster Management Plan is Japan's primary disaster prevention plan, and the foundation of Japan's disaster response policy. It provides specific measures which shall be implemented by the national government, local governments, and residents and clearly affirms the need for further participation by women in policy and decision-making processes and in on-site activity in the field of disaster management. It also stresses the need for establishing a disaster management system that incorporates diverse perspectives including gender equality.

117. Also, as a result of the revision to the Disaster Countermeasures Basic Act in June 2012 (see para. 117 of the Reports), the proportion of female committee members on the Prefectural Disaster Management Council has continued to increase.

118. In addition, under the revised Disaster Countermeasures Basic Act of June 2013, a new provision was added; requiring the improvement of living conditions in evacuation shelters and other relevant facilities. Thereby, in August 2013, Guidelines for securing favourable environments at the evacuation centres, which duly incorporate the perspective of gender equality, have been formulated.

119. To advance women's participation in policy and decision-making processes and in on-site activity at the level of local disaster prevention and to establish a disaster management system with diverse perspectives including gender equality, the Government of Japan (GOJ) has issued notices to all local governments encouraging the establishment of appropriate initiatives for promoting gender equality in disaster management, such as active appointment of female committee members in the Prefectural and Municipal Disaster Management Councils.

120. Furthermore, regarding personnel of the fire department, police officers, and the Self-Defense Force, employment and promotion of women is being increased, including cases where women are appointed to posts in which women had previously not been placed. In addition, women are encouraged to actively participate in volunteer fire corps, which consist of persons who volunteer for fire-fighting activities in their communities while maintaining their regular jobs.

121. Also, in the Fourth Basic Plan, the GOJ is considering to include a new section focusing on specializing in disaster management that would specify measures reflecting the Sendai Framework for Disaster Risk Reduction 2015-2030.

Question 19

Please indicate whether the State party envisages adopting a comprehensive law and/or regulations to ensure a gender-sensitive approach to address the needs of refugee and asylum-seeking women and girls. Please indicate whether the State party considers recognizing gender-related forms of persecution as legitimate grounds for asylum. Please also indicate whether alternatives to

detention of asylum seekers are implemented, as provided for in the Immigration Control and Refugee Recognition Act, in particular for asylum-seeking women who have specific needs. Please also indicate the measures taken to address the overcrowding in some detention facilities, including women's prisons.

(Answer)

(The first question of Q19)

122. In Japan, each of the ministries and agencies make efforts to provide appropriate care in addressing the needs of refugee women and girls and those in the process of applying for recognition of refugee status.

123. For example, the Government of Japan (GOJ) provides assistance for living expenses, etc. to asylum-seekers who face financial difficulties during the refugee status recognition process. This assistance is provided upon application and regardless of the gender of the asylum-seekers concerned. The GOJ also offers integration programmes such as Japanese language courses, guidance on Japanese life, and vocational counselling services for Convention Refugees, their families, and resettled refugees, for the purpose of promoting independent living and settlement of those refugees in Japan. The GOJ also makes a nursery room available for refugee women with children who are participating in these programmes.

124. In addition, the GOJ makes efforts to operate systems that give consideration to women and girls when recognizing refugee status, such as assigning female refugee inquirer to female applicants.

(The second question of Q19)

125. In Japan's system for the recognition of refugee status, proper evaluation is carried out through individual evaluation to assess if a person should be accorded refugee status, in line with the definition of refugees set forth in the Convention Relating to the Status of Refugees (hereinafter "the Refugee Convention"). With regard to applications based on the so-called "new forms of persecution", including gender-related persecution, a framework is in place so that protection is provided based on the definition of "refugee" as defined by the Immigration Control and Refugee Recognition Act, that is, through accurate interpretations of the eligibility for receiving refugee status through the application of the Refugee Convention.

(The third question of Q19)

126. Illegal foreign residents may receive permission for provisional stays, with the exception of those who have received a written deportation order or those whom the authorities have sufficient reason to suspect as having deserted. For those who receive this permission, deportation procedures are suspended while the procedures for recognition of refugee status are underway, and those who are being detained will be released.

127. Even in cases in which a person has been detained without receiving permission for a provisional stay, provisional release is actively carried out from a humanitarian perspective, while comprehensively taking into consideration individual circumstances.

128. In the case of minors, including girls, provisional release is flexibly applied from a humanitarian perspective. Minors are not detained, but are given appropriate support, such as requesting relatives or child consultation centres to offer them temporary protection.

(The fourth question of Q19)

129. The authorities began the conversion of men's penal institutions, entirely or partially, into accommodation for female inmates.

130. The police are undertaking efforts to increase the detention capacity of their facilities with respect to female detainees through means such as rebuilding or expanding detention facilities.

131. Among the detention facilities under the jurisdiction of the Immigration Bureau of Japan, including the immigration detention centres and regional immigration bureaus, five locations accommodate female detainees on a permanent basis The current circumstances are within the detention capacity of the facilities.

132. Female staff are stationed 24 hours a day at facilities that permanently accommodate female detainees.

Question 20

Please provide updated information on access by older women, migrant women, minority women, including indigenous women, women with disabilities and rural women to all rights covered under the Convention. Please provide, in particular, information regarding sexual violence against women with disabilities and on measures taken to provide shelters for women with disabilities and older women who are victims of abuse. Please provide information on measures taken to address the feminization of poverty, including the higher rate of women in poverty among older women and women-headed households. Please also provide information on measures taken, including through the establishment of a policy framework and the adoption of temporary special measures, to eliminate discrimination against minority women and to appoint minority women representatives to decision-making bodies.

(Answer)

(The first question of Q20)

133. The Basic Act for a Gender-Equal Society is applied analogously to foreign residents in Japan (see para. 103 of the Reports and para. 98 of the sixth Report).

134. In the Fourth Basic Plan, reviews are being conducted to place priority on the following areas. One is "Developing an environment where women and others facing poverty, aging, disabilities, and other difficulties are able to lead secure lives." This area sets out to promote the development of a safe environment that enables all women who are dealing with additional complex challenges to living safely with their families or in their local communities. This includes elderly women, disabled women, foreign women living in Japan, and Ainu women. Another priority area is "Promoting gender equality in regional communities, agricultural, forestry and fishery communities, and in the field of the environment" for women living in those communities.

135. From April 2015, the Government of Japan (GOJ) revised the long-term care insurance system for promoting the establishment of the Integrated Community Care System. The GOJ works to enable the elderly to continue living in their hometowns by carrying out the following: enhancing community support programmes for promoting medical and long-term care cooperation as well as measures to prevent dementia; and, transferring the nationwide uniform Prevention Benefits to community support programmes run by each municipality.

136. Regarding Ainu women, the GOJ has held meetings of the Council for Ainu Policy Promotion, including representation by Ainu women to promote Ainu-related policies while considering the views of the Ainu people (see paras. 108 and 109 of the Reports).

137. In February 2015, The GOJ formulated the basic policy based on the Act on the Elimination of Discrimination against Persons with Disabilities. Under this policy, similar to the Third Basic Programme for Persons with Disabilities, it is noted that support should be provided for women with disabilities, since they may face complex difficulties due to their gender in addition to their being disabled.

138. A new Basic Plan for Food, Agriculture, and Rural Areas was formulated in March 2015 based on the Food, Agriculture and Rural Areas Basic Act. This Basic Plan sets forth clear and concrete measures for promoting women's participation in these areas hereafter.

(The second question of Q20)

139. In cases where women with disabilities have been subjected to sexual violence, or where women with disabilities or elderly women have been subjected to abuse, municipalities take necessary measures to secure temporary protection and accommodations for them based on the Persons with Disabilities Abuse Prevention Act and the Act on the Prevention of Elder Abuse.

140. Following the enactment of both laws, the police promptly report abuses of disabled or elderly persons to the municipalities when these cases are identified.

141. Women's Consulting Offices provide support, such as temporary protection, to women facing diverse problems, including women with disabilities and elderly women.

(The third question of Q20)

142. The GOJ implements measures to secure pensions for all women including those in the Reports (paras. 304 and 342) as well as shortening the qualifying period for receiving benefits and division of pension at divorce. Also, for low-income pensioners, a welfare benefit system is about to be established.

143. Under the medical insurance system, measures are taken to reduce insurance premiums for low-income earners. Also, regarding healthcare payments, an individual limit has been set for the amount to be borne by low-income earners, taking into consideration their burden.

144. Regarding public long-term care insurance, the elderly can receive welfare services by paying for just 10 per cent of the cost (20 per cent for those with a certain level of income).

145. The GOJ recognizes that many single parent families have various problems and need comprehensive support since they have to shoulder the burden of earning their livelihoods and raising children alone. Hence, we are currently working to create a framework to ensure that government support is provided to families in need and to establish a policy package that includes securing financial resources to support their livelihood, accommodation, education, and employment by the end of 2015.

(The fourth question of Q20)

146. Details on the participation of Ainu women are described above.

147. In addition, the GOJ carries out various public awareness raising activities and provides education on human rights, including those of minorities, from the stand point that all forms of discrimination including that against minority women cannot be tolerated (see para. 107 of the Reports).

Question 21

It is indicated in the report that a bill revising the Civil Code unifies the marriageable age between men and women, introduces a system allowing a husband and wife to adopt separate surnames and shortens the period of prohibition of remarriage required for women (para. 384). Please indicate the steps taken to expedite the adoption of the bill and to eliminate the period of prohibition of remarriage for women. Please also indicate whether the State party envisages adopting legal provisions requiring the payment of child maintenance by the father. Please also indicate the steps taken to ensure that children born out of wedlock are not discriminated against through the family registry system.

(Answer)

(The first question of Q21)

148. The contents of the bill (para. 384 of the Reports) have been made available to citizens on the website of the Ministry of Justice with the intention of enriching public discussion. The "Basic Vision for Formulating the Fourth Basic Plan for Gender Equality", submitted by the Council for Gender Equality on 1 December 2015, states that, in light of judicial decisions, and also considering the change in family structures, the diversification of life styles, the trend of public opinion and the concluding observations of CEDAW, the Government of Japan continues to consider changes to family legal systems: such as the revision of the Civil Code including unifying the minimum age for marriage for men and women, the introduction of a system allowing a husband and wife to adopt separate surnames of their own accord, and the shortening of the period of prohibition of remarriage required for women.

(The second question of Q21)

149. The shared costs required to maintain custody of the child (para. 1, article 766 of the Civil Code) for divorced parents may be negotiated between the parents. In cases where negotiations fall through or are not possible, either of the parents may petition the family court to order the other party to pay for the costs of maintaining custody of the child. In 2011, in addition to clearly stipulating the

burden of the costs of custody, the law was also revised to clearly set forth the need to prioritize the child's interests in deciding how child support costs will be shared.

150. With regard to redress for non-payment of child support, with the revision of the Civil Execution Act in 2003 and 2004, in the case of compulsory execution based on a claim for periodic payments pertaining to child support, the following measures are taken in civil execution procedures.

(1) Enabling an execution court to seize a claim prior to the due date (article 151-2)

(2) Reducing the monetary amount that is prohibited from being seized from three-quarters of the payment to half of it in cases of claims pertaining to remuneration (para. 3 of article 152)

(3) Introducing systems for indirect enforcement (article 167-15)

(The third question of Q21)

151. With the revision of the Ordinance for Enforcement of the Family Register Act on November 2004, the entry in the column for relationship with parents for children born out of wedlock was made consistent with that for children born in wedlock.

152. Regarding the birth certificate column indicating child born in or out of wedlock, from March 2010, offices accept it even if this column has not been filled out. With regard to this procedure, documents announcing this revised measure were circulated to municipalities again in December 2013.

Question 22

Please provide information on any progress made with regard to the ratification of the Optional Protocol to the Convention and indicate a time frame for its possible ratification.

(Answer)

153. The Government of Japan (GOJ) considers the individual communications procedure to be noteworthy in that it effectively guarantees the implementation of the Convention.

154. With regard to the acceptance of the procedure, the GOJ is aware that there are various issues to consider including whether it poses any problems in relation to Japan's judicial system or legislative policy, and what possible organizational frameworks are required to implement the procedure in the event that Japan is to accept it.

155. The GOJ continues to seriously consider whether or not to accept the procedure, while taking into account opinions from various quarters.